

**Notice of Allowability**

Application No.

10/672,347

Applicant(s)

TSURUTA ET AL.

Examiner

Gerald B. Klebe

Art Unit

3618

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 09/25/2003.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ The drawings filed on 25 September 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

*G.B. Klebe*  
 6 July 2005

**Attachment(s)**

- |  |  |
|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 2. <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date <u>02/19/2004</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment                               |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material                                 | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9. <input type="checkbox"/> Other _____.   |

## **DETAILED ACTION**

### ***Acknowledgments***

1. The Oath/Declaration filed 02/19/2004 is acknowledged.  
The Information Disclosure Statement filed 02/19/2004 has been entered.  
The foreign priority paper file 02/19/2004 has been entered.  
The drawings filed 09/25/2003 are acceptable to the examiner.  
Claims 1-8 filed 09/25/2003 are pending in the application.

### ***Allowable Subject Matter***

2. Claims 1-8 are allowed.

### ***Reasons For Allowance***

3. The following is an examiner's statement of reasons for allowance:

The limitations recited in the independent claim 1 for a cooling system for a vehicle having an internal combustion engine fitted between a pair of left and right vehicle frames and a fuel tank attached to the vehicle frames and arranged above the internal combustion engine, the cooling system comprising a cooling air path for guiding engine cooling air from the front of the vehicle to a vicinity of the engine, formed by a duct provided in front of the engine and below the vehicle frames wherein the duct has an intake port that is substantially the same width in plan view as the lateral distance between the frames and has a discharge port that is substantially narrower in width than the intake port and wherein the discharge port is located in the vicinity of the engine, and together with the other recited limitations of the claim are not found in the prior

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art of record nor may be derived from any combination that may be reasonably construed therefrom.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Prior Art made of Record***

4. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure. The prior art of Matsuura et al.; of Etou et al.; of Inagawa et al.; of Cadiou; of Strinden; of Valletta; of Nallinger; of Strauss; of Osada et al.; of Fujikawa; of Kanezuka et al.; of Shiobara; of Arao; of Nishikawa; and of Kona each show features in common with some of the other structures of the inventive concept disclosed in the instant application.

***Conclusion***

5. Any inquiry concerning this or earlier communication(s) from the examiner should be directed to Gerald B. Klebe at 571-272-6695; Mon.-Fri., 8:00 AM - 4:30 PM ET, or to Supervisory Patent Examiner Christopher P. Ellis, Art Unit 3618, at 571-272-6914.

Official correspondence should be sent to the following TC 3600 Official Rightfax numbers as follows: Regular correspondence: 703-872-9326; After Finals: 703-872-9327; Customer Service: 703-872-9325.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*gbklebe*  
gbklebe / Art Unit 3618 / 6 July 2005

*Allen Shriver* 7/6/05  
**ALLEN SHRIVER**  
**PATENT EXAMINER**